

REMARKS

At the time of the Final Office Action dated August 9, 2005, claims 1-13 were pending and rejected in this application.

Claims 1 and 2 have been amended, and care has been exercised to avoid the introduction of new matter. Specifically, claim 1 has been amended to include the limitations that a meta-stub is configured to establish a communicative link with a distributed object using a default RPC transport stub and also to reestablish the communicative link using a selected RPC transport stub, and adequate descriptive support for these limitations can be found throughout the originally-filed disclosure, for example, on page 9, lines 1-3, 18-20. Claim 2 has been amended to address an antecedent basis issued raised by the amendment to claim 1. Applicants submit that the present Amendment does not generate any new matter issue.

**CLAIMS 1-2, 6-7, 9-11, AND 13 ARE REJECTED UNDER 35 U.S.C. § 102 AS BEING  
ANTICIPATED BY MOORE ET AL., U.S. PATENT NO. 6,408,342 (HEREINAFTER MOORE)**

On page 2-5 of the Office Action, the Examiner asserted that Moore discloses a system, method, and machine readable storage corresponding to that claimed. This rejection is respectfully traversed.

Claims 6 and 10

Independent claims 6 and 12 each recite the following limitation:

establishing a communicative link with said distributed object using a default RPC transport mechanism ...

selecting one said other RPC transport mechanisms and re-establishing said communicative link with said distributed object using said selected RPC transport mechanism

Thus, claims 6 and 10 recite two instances in which the communicative link is established. The first instance is with the default RPC transport mechanism and the second instance is with the selected RPC transport mechanism.

On page 5 of the Office Action, in the paragraphs labeled (b.) and (c.), the Examiner referred specifically to Fig. 12; column 19, lines 51-54; column 20, lines 2-5; and column 21, lines 8-10, 13-22, 36-43 of Moore to teach the above-identified claimed limitations.

The disclosure in column 19 referred to by the Examiner teaches that "[i]f the target object is accessible over multiple protocols ... the protocol with the matching the Quality of Service (QoS) required by the Stub 303 is selected." This disclosure, therefore, is unrelated to the claimed two instances in which a communicative link is established.

The disclosures in columns 20 and 21 refer to Fig. 12 of Moore. However, upon reviewing Fig. 12 and the accompanying disclosure in columns 20 and 21, Applicants have been unable to find any teaching that teaches or suggests two instances in which a communicative link is established (i.e., a first instance with a default RPC transport mechanism and the second instance with the selected RPC transport mechanism), as recited in claims 6 and 10. In contrast,

upon attempting to establish a connection (see features 609, 617, 625), if the connection is made (i.e., a communicative link is established), then the process is "Done" (see features 607, 613, and unlabeled feature adjacent 627). Although Moore teaches making a plurality of attempts to establish a connection, Moore does not teach reestablishing a connection after a connection has already been established. Moreover, claims 6 and 10 recite that one connection is made with a default RPC transport mechanism and the reestablished connection is made with a selected RPC transport mechanism, and the claimed two connections using differently defined transport mechanisms are neither taught nor suggested by Moore.

In responding to the same rejection made in the Office Action dated February 9, 2005, Applicants made the following arguments in the paragraph spanning pages 10 and 11 in the Amendment filed September 12, 2005:

As another example, claim 6 recites "establishing a communicative link with said distributed object using a default RPC transport mechanism" and "re-establishing said communicative link with said distributed object using said selected RPC transport mechanism". Again, Moore teaches the establishment of a single communicative link. Never in Moore is a default link supplanted by a re-established link. (emphasis in original)

Upon reviewing the present Final Office Action and in particular the Examiner's "***Response to Arguments***" found on pages 7 and 8, Applicants are unable to find any response by the Examiner to the above argument made in the Amendment filed September 12, 2005. In this regard, the Examiner is referred to M.P.E.P. § 707.07(f), which states that "the Examiner, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." Notwithstanding that the Examiner neglected to respond to Applicants prior arguments, the above-argued differences between the method and machine readable storage defined in independent claims

6 and 10 and the disclosure of Moore undermine the factual determination that Moore identically describes the claimed invention within the meaning of 35 U.S.C. § 102.

Claim 1

Claim 1 has been amended to introduce the limitations that a meta-stub is configured to establish a communicative link with a distributed object using a default RPC transport stub and also to reestablish the communicative link using a selected RPC transport stub. Therefore, claim 1 includes comparable limitations to those limitations found in claims 6 and 10 that Applicants have argued are not identically disclosed by Moore. Thus, Moore also fails to identically describe the claimed invention, as recited in claim 1, within the meaning of 35 U.S.C. § 102. Applicants, therefore, respectfully solicit withdrawal of the imposed rejection of claims 1-2, 6-7, 9-11, and 13 under 35 U.S.C. § 102 for anticipation based upon Moore.

**CLAIMS 3-5, 8, AND 12 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS  
BASED UPON MOORE IN VIEW OF MEIN ET AL., U.S. PATENT NO. 6,782,542 (HEREINAFTER  
MEIN)**

On pages 5-7 of the Office Action, the Examiner concluded that one having ordinary skill in the art would have been motivated to modify Moore in view of Mein to arrive at the claimed invention. This rejection is respectfully traversed.

Claims 3-5, 8, and 12 depend ultimately from independent claims 1, 6 or 10, and Applicants incorporate herein the arguments previously advanced in traversing the imposed rejection of claims

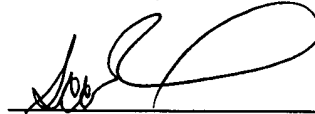
1, 6 and 10 under 35 U.S.C. § 102 for anticipation based upon Moore. Specifically, Moore neither discloses nor suggests reestablishing a connection after a connection has already been established. The secondary reference to Mein does not cure the argued deficiencies of Jain. Accordingly, the proposed combination of references would not yield the claimed invention. Applicants, therefore, respectfully submit that the imposed rejection of claims 3-5, 8, and 12 under 35 U.S.C. § 103 for obviousness based upon Moore in view of Mein is not viable and, hence, solicit withdrawal thereof.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,



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